IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 16604 of 2004

Between:

S.Venkat Reddy, s/o Gopal Reddy,
R/o Ashwaraopally Village, Raghunathpally Mandal,
Warangal District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Jangaon, Warangal District.
2 The Joint Collector, Warangal District at Warangal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction more particularly a writ in the nature of writ of mandamus declaring the proceedings Rc.No.B/1294/2004 dated 2-8-2004 issued by the 1st respondent as illegal, arbitrary and consequently set aside the same.

Counsel for the Petitioner: MR.A.RAVI SHANKAR

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following:

ORDER:

Petitioner is an authorised dealer in respect of the Fair Price Shop of Ashwaraopally village, Raghunathpally Mandal, Warangal District. His authorisation has been suspended by the Revenue Divisional Officer by order dated 02.08.2004, pending enquiry into the alleged irregularities in the distribution of essential commodities, which is under challenge in this writ petition.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

Against the impugned order, an alternative remedy is available under the Statute by way of appeal to the Joint Collector and admittedly, the petitioner has already availed the said remedy. Though the learned counsel for the petitioner raised various grounds contending that all the allegations made against the petitioner are false and without any basis, I am not inclined to express any opinion on merits since the statutory appeal is pending before the Joint Collector, Warangal District, the second respondent herein. However, keeping in view the plea of the petitioner that the second respondent has failed to consider his appeal and no orders have been passed even on his application for stay so far, I deem it appropriate to dispose of the writ petition with a direction to the second respondent consider the application for stay in the appeal filed by the petitioner against the order of the Revenue Divisional Officer dated 02.08.2004 and to pass

appropriate orders in accordance with law as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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16.09.2004

VGB

To

1 The Revenue Divisional Officer, Jangaon, Warangal District.
2 The Joint Collector, Warangal District at Warangal.

3 2CCs to the Government Pleader for Civil Supplies, High Court

Buildings, Hyderabad (OUT)

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